

Amendment No. 1 to HB0449

Brooks H
Signature of Sponsor

AMEND Senate Bill No. 663

House Bill No. 449*

by deleting all language after the enacting clause and by substituting instead the following:

Section 1. Tennessee Code Annotated, Section 49-2-202(a) is amended by adding the following language as a new subdivision (3) and by renumbering the subsequent subdivisions accordingly:

(3)

(i) Each member of the board of education who has a relative employed by the board shall declare such relationship prior to voting on any matter of business that shall have an effect upon the employment of the relative. In making the declaration, such board member shall certify that the vote that is about to be cast on the pending matter is in the best interest of the school system. Such matters shall include, but shall not be limited to, the school system annual budget, tenure considerations and personnel policies. The director of schools shall give notice to the board each time there is intent to employ a relative of a school board member. The director of schools of a county school system shall also give notice to the county school board each time there is intent to employ a relative of an elected county official. The director of schools of a city school system shall also give notice to the city school board each time there is intent to employ a relative of an elected city official. In giving such notice, the director of schools shall certify that the prospective employee is duly qualified by training and licensure to occupy the position.

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(ii) As used in this subdivision (3), unless the context otherwise requires, "relative" means a spouse, parent, parent-in-law, child, son-in-law, daughter-in-law, grandparent, grandchild, brother, sister, uncle, aunt, nephew, niece, or any person who resides in the same household as any of the officials referenced in subdivision (3)(i).

(iii) The provisions of this subdivision (3) shall not be construed to prohibit two (2) or more relatives from working for the LEA. If two (2) or more employees who are relatives are within the same direct line of supervision, or become within the same direct line of supervision by marriage or promotion, then the director of schools shall attempt to resolve this issue by transfer of one (1) of the employees. If the director finds that transfer is not feasible or is not in the best interest of students, then an alternate evaluation plan shall be devised for one (1) of the employees.

SECTION 2. This act shall take effect July 1, 2013, the public welfare requiring it.